



May 10, 2006

TO: Transportation Authority of Marin Commissioners

FROM: Dianne Steinhauser, Executive Director

RE: Bike/Pedestrian Path Maintenance, Agenda Item 11

Dear Commissioners:

Executive Summary

Marin County has a high quality network of bike and pedestrian paths that make a strong attraction to both residents and visitors. For some time, the users of the path system have raised concerns over adequate path maintenance. The need exists for both increased routine maintenance as well as longer term rehabilitation. There are a number of factors affecting TAM's responsibility for and ability to address these concerns, which are discussed below. Additional information will be presented at the Executive Committee meeting on May 10th.

Recommendation: Consider staff's presentation of information on the issue of bicycle and pedestrian path maintenance. Discussion item only.

Background

For several years, the deficit in transportation facility maintenance has been growing. The unaddressed needs for roadway maintenance alone have raised awareness and attracted much needed relief in the form of increased federal and state funding. Ongoing efforts to enhance that funding have come in the form of efforts to permanently dedicate the legislated portion of the Prop 42 sales tax on gasoline, continued dedication of regional federal revenues from MTC, and consideration of new fees to further address the issue. With the local road rehab shortfall in Marin alone over \$250 million, it will require many years of dedicated funding to make a dent in the backlog. New maintenance and rehab needs are constantly developing as heavy use combined with severe weather further erodes local streets and roads. At the State level, all of the federal and state excise tax on gasoline is dedicated to state highway maintenance and rehab.

The shortfall in local infrastructure funding is partially addressed through the dedication of local transportation sales tax under Measure A. This funding is sorely needed to address the complexity of needs on roadways, bikeways, sidewalks, and pathways. This funding is available to address:

- pavement and drainage maintenance;

- signalization and channelization at key intersections;
- transit and traffic flow improvements to eliminate conflicts between buses and cars;
- transportation system management and demand management projects;
- improvements to reduce response time for emergency vehicles;
- bike path construction and maintenance
- sidewalk and crosswalk construction and maintenance
- accessibility improvements

It was the intent of the Expenditure Plan that all users benefit from the tax collected. The Expenditure Plan states that , “ roadway projects will consider all of the modes in the right of way, focusing on transit, bicycle and pedestrian safety, and access for the disabled.” This expectation to consider all modes has been passed on to the local agencies claiming funds for local infrastructure, and has been built into the Major Road priority segment scope development process.

It has become clear in the review of local infrastructure needs in Marin that the funds in Measure A will not be enough to meet all of the eligible needs. How maintenance needs fit into the overall project scope and budget is the decision of the local jurisdiction for the local infrastructure component, and priorities are developed by the Technical Advisory Committee (TAC), working with the Public Works Directors, for the major road and related infrastructure component based on the list of roads of countywide significance included in the expenditure plan as priority candidates for funding. Additional public and TAC review will be done once draft scopes are developed for the priority segments in the Major Infrastructure category. Bike/ped path maintenance is clearly an eligible expense.

The combined efforts of the TAC and Public Works Directors in identifying major road priority segments has involved a detailed process of weighting segments from the list of roads of countywide significance based on Expenditure Plan performance criteria. These criteria included pavement condition, Average Daily traffic (ADT), transit frequency, bike and pedestrian activity, school access, and accident rate. While the Expenditure Plan meant for all users to experience the benefits of the sales tax, the use of the sales tax was also meant to address a number of needs on each road segment.

A stand-alone project to maintain any particular elements of the bike/ped path system has not found its way upward from sponsors of the local road projects nor through the TAC/Public Works Directors addressing major roads and related infrastructure. Ongoing routine maintenance of existing or new facilities has not been necessarily emphasized. Pending further scope development on the local and major road projects, bike/ped path maintenance may remain an unaddressed need. Does the TAM Board wish to consider if and how it should be resolved?

Policy Elements for Consideration.

There are a number of elements to the maintenance need, namely:

1. Routine maintenance of the pathways, consisting of litter pickup, graffiti removal, sweeping, lighting maintenance (if appropriate)

2. Major maintenance of the pathways, consisting of crack sealing, seal coats, replacement, any structure repair, signing and striping (if appropriate)
3. Policing and security, including camera's, lighting, patrolling, responding to emergencies

I. Policing and Security.

Typically, the local jurisdictions in which the facilities lies are bearing the cost of policing it, as well as emergency responder cost. This has been the typical application.

II. Major Maintenance

The TAM Board may want to consider providing a clear policy intent that major maintenance now be eligible through the grant programs TAM administers. This would apply to only those grant programs that allow major maintenance as an eligible expense. TDA Article 3 is now eligible for Major bike/ped path maintenance, such as repaving, restriping, sign improvements, etc., due to a TDA state law change in January. While the tradition for TDA at the local level has been that it will NOT be used for maintenance activities, it is clearly a source for consideration.

TAM staff has inquired of MTC whether regional bike/ped funds are eligible for major maintenance activities. MTC has indicated this program is aimed at providing new facilities, and further discussion would be needed to determine eligibility. The color of funds used by MTC for this activity will be an issue. MTC may be willing to consider the locals use of their own share of the regional bike/ped funds for major maintenance, if we are able to swap the funds somehow. TAM has \$874,874 in regional bike/ped funds it has yet to program, covering a three year period ending FY 2008-09.

There is a lack of good information on the condition of the path systems, particularly the stand-alone Class 1 facilities. There is also some indication that Class 2 facilities alongside major roads are maintained, or not, along with the road maintenance activity. A good first step may be to fund an inventory effort to provide a clearer understanding of the scope and cost of the issue.

III. Routine Maintenance:

Everyday maintenance of the facilities is a more pressing issue. This is annualized activity that would require a constant fund source in order to address it in a responsible manner. All of the Class 1 path segments are being maintained, or not, by a local jurisdiction, being the County, cities and towns, or Caltrans per existing agreements. To replace the funds used today by sales tax funds may not be in the best interest of TAM. The issue lies with local fund priorities not allowing for adequate routine maintenance.

One step for the TAM Board to consider taking is the adoption of an Adopt-a-Path program funded from Measure A funds. Patterned after successful programs elsewhere, TAM would provide the resources necessary to kick off this type program at the local level. TAM would look for long term sustaining of the effort to come from local jurisdictions. Schools, local residents, local businesses, and bike advocates

could all be tapped for a voluntary effort to pick up litter, pull weeds, and sweep paths.

There are several critical aspects to this issue for the TAM Board to consider. These will be discussed in more detail at the Executive Committee meeting. While there is more than one good option for major maintenance activity, routine maintenance is a harder policy step to take. Among items for the Board to discuss:

- Should TAM provide resources for paths currently being maintained by others?
- Should TAM include funding provisions for routine path maintenance for facilities where TAM provides capital funding?
- As the local jurisdiction benefits from the facility in terms of congestion relief, access options, and quality of life improvements, should the TAM Board make it a condition that the local jurisdiction agree to take on routine maintenance of the bike/ped facilities?
- Should TAM make sales tax funds available, perhaps on a local match basis, as an incentive to encourage a local commitment to better maintenance?
- How will any contribution of effort be funded?

A gross inventory of the backbone system and discussion of likely costs will be brought to the Executive Committee for further discussion.